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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,941	10/14/2004	Fumiyuki Ito	040524	5940

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EXAMINER

RODRIGUEZ, GLENDA P

ART UNIT	PAPER NUMBER
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2651

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/711,941

Applicant(s)

ITO, FUMIYUKI

Examiner

Glenda P. Rodriguez

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/14/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claims 1-4 objected to because of the following informalities: all claims have the claim numbering written twice, one in brackets and the second just the claim number. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto (US Patent No. 5, 847, 907).

Regarding Claim 1, Hashimoto teaches a method wherein:

Acquiring a plurality of GAP profiles (according the definition of GAP profile in the Applicant's Specification in Page 6, Para 29) by repeatedly carrying out a GAPS test that measures a GAP offset amount for a same magnetic head that has been attached to the magnetic head tester (Col. 4, L. 4-34, wherein Hashimoto teaches measuring positional information in order to calculate the offset with respect to the reading head. It is obvious to a person of ordinary skill in the art to recognize that by monitoring or measuring the position and compensating for any offset is testing as to whether the device is working properly and effectively.);

And calculating a GAP offset fluctuation amount from the acquired plurality of GAPS profiles and setting a calculation result thereof as an index for evaluating a position reproducibility for the magnetic head (Col. 5, L. 62-Col. 6, L. 7, L. 2. Also see Col. 7, L. 22-Col. 8, L. 30. Herein, Hashimoto teaches the MR element being measured for offset gap calculations with respect to the gap between the read and the write elements.).

Regarding Claim 2, Hashimoto teaches a method wherein:

Acquiring a plurality of GAPS profiles by repeatedly carrying out a GAPS test that measures a GAP offset amount for a same magnetic head that has been attached to the magnetic head tester (Col. 4, L. 35-58, wherein Hashimoto teaches performing a offset measuring profile method according to the recording head position. It is obvious to a person of ordinary skill in the art to recognize that by monitoring or measuring the position and compensating for any offset is testing as to whether the device is working properly and effectively.);

And calculating a write core width fluctuation amount from the acquired plurality of GAPS profiles and setting a calculation result thereof as an index for evaluating a linearity accuracy for the magnetic head tester (Col. 4, L. 59-Col. 5, L. 61, wherein Hashimoto calculates the offset set by the measuring of the write head positional information. Also see Col. 7, L. 22-Col. 8, L. 30).

3. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto in view of Chong et al. (US Patent No. 6,839, 193).

Regarding Claims 3 and 4, Hashimoto teaches a method comprising:

Acquiring a plurality of GAP profiles (according the definition of GAP profile in the Applicant's Specification in Page 6, Para 29) by repeatedly carrying out a GAPS test that measures a GAP offset amount for a same magnetic head that has been attached to the magnetic head tester (Col. 4, L. 4-34, wherein Hashimoto teaches measuring positional information in order to calculate the offset with respect to the reading head. It is obvious to a person of ordinary skill in the art to recognize that by monitoring or measuring the position and compensating for any offset is testing as to whether the device is working properly and effectively.);

Although Hashimoto teaches measuring and calculating a position (i.e. a fluctuation result) fluctuation by means of detecting offset between the read/write gaps (i.e. gap offset as defined by the Applicant in Para 29 of the Specification) (See Col. 5, L. 62-Col. 7, L. 2. Also see Col. 7, L. 22-Col. 8, L. 30 of Hashimoto), Hashimoto does not explicitly teach detecting it as a 50% position sensitivity. Chong et al. teaches the 50% positional detecting for offset at each track in Col. 6, L. 1-19 (and hence remeasuring the output offset level). It would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to modify Hashimoto's invention with the teaching of Chong et al. in order to center the MR head with respect to the track.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: 5, 847, 891 to Ohmori et al., 5, 978, 165 to Magnusson, 6, 005, 751 to Kazmierczak et al., 6, 078, 460 to Moriya, 5, 751, 512 to Anderson, 5, 276, 568 to Murata et al., 4, 007, 493 to Behr et al. and 6, 873, 488 to Teo et al.


Art Unit: 2651

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenda P. Rodriguez whose telephone number is (571) 272-7561. The examiner can normally be reached on Monday thru Thursday: 7:00-5:00; alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
gpr  
11/10/05.

  
DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600